

TTAB

02-25-2003

U.S. Patent & TMOtc/TM Mail Rcpt Dt. #64

Attorney Ref.: D0750/201-003 GDK/dh

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In re the Matter of:

Application Serial No. 76/218,806
Mark: NECVOX

Nippon Denki Kabushiki Kaisha d/b/a
NEC Corporation

Opposer,

v.

Punch Video S Pte Ltd Tannery House

Applicant.

Opposition No. _____

TRADEMARK TRIAL AND
APPEAL BOARD
03 MAR 14 AM 9:30

Assistant Commissioner
for Trademarks
2900 Crystal Drive
Arlington, VA 22202-3513

Sir:

NOTICE OF OPPOSITION

Nippon Denki Kabushiki Kaisha d/b/a NEC Corporation, a Japanese corporation with a business address of 33-7, Shiba 5-chome, Minato-ku, Tokyo 108-8422 Japan hereby opposes registration of the NECVOX mark which is the subject of Application Serial No. 76/218,806. As grounds in support of the Notice of Opposition, it is alleged that:

1. Nippon Denki Kabushiki Kaisha d/b/a NEC Corporation is a Japanese corporation with a business address of 33-7, Shiba 5-chome, Minato-ku, Tokyo 108-8422 Japan.

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Application Serial No. 76/218,806
Mark: NECVOX

2. Opposer, for many years, and long prior to any date of first use upon which Applicant can rely, has used the mark NEC in connection with a wide variety of electronic equipment and apparatus including but not limited to telephone, radio and communication generating, transmitting and receiving apparatus equipment, components and systems; television receivers, lamps, data processing and computing systems apparatus, components and equipment; transistors, thermistors, diodes, rectifiers, thyristors, integrated circuits, capacitors, electronic display panels, communication systems and equipment, computers and industrial electronic systems, and related goods.
3. Opposer is owner of the following U.S. Principal Register registrations, among others:

Registration Number	Mark	Issue Date	Goods
1. 964,056	NEC	July 17, 1973	Telephone, radio, and telecommunication generating, transmitting and receiving apparatus, equipment, components and systems; television receivers, fluorescent lamps, electro-luminescent lamps, but not including electric fuses, fuse holders or fuse clips for any of the foregoing; data processing and computing systems, apparatus, components and equipment, but not including electric fuses, fuse holders or fuse clips for any of the foregoing
2. 1,274,127	NEC	April 17, 1984	Transistors, thermistors; diodes, rectifiers, thyristors, integrated circuits, capacitors, electronic display panels
3. 1,908,239	NEC	August 5, 1995	Full line of electrical and electronic products for home, commercial and industrial use, namely, communication systems and equipment; computers and industrial electronic systems; and consumer electronics

4. As a result of Opposer's long use and registration of its NEC mark, the NEC mark has become famous, and has come to be exclusively associated with Opposer for Opposer's various products.
5. Applicant, on March 2, 2001 filed an application for the mark NECVOX for goods described as electronic equipment and apparatus for reproduction of sound or images, namely, televisions, compact disc players, CD changers, digital versatile

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disc (DVD) players, DVD changers, digital sound video amplifiers, digital stereo amplifiers, thin-film transistors, liquid crystal display color display screens and monitors and satellite receivers. This application was assigned Serial No. 76/218,806 and was filed based on Applicant's corresponding Singapore registration.

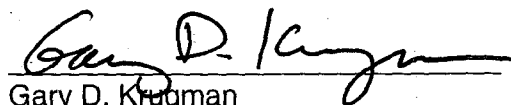
6. Applicant's mark NECVOX so resembles Opposer's previously used and registered NEC marks as to be likely, when applied to Applicant's goods, to cause confusion, mistake or to deceive.

WHEREFORE, Opposer prays that the opposition be sustained and that registration to Applicant be refused.

Respectfully submitted,

Nippon Denki Kabushiki Kaisha d/b/a
NEC Corporation

By:



Gary D. Kragman
Attorney for Opposer
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Washington, DC 20037-3202
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Date: February 25, 2003

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SUGHRUE MCKIN, PLLC

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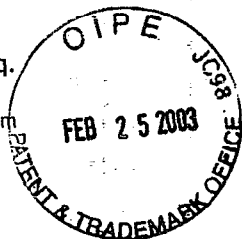


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02-25-2003

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February 25, 2003

**Transmittal Letter
VIA HAND DELIVERY**

Box TTAB FEE
Commissioner for Trademarks
2900 Crystal Drive
Arlington, Virginia 22202-3513

Re: Notice of Opposition
Mark opposed: NECVOX
Application Serial No. 76/218,806
Applicant: Puch Video S. Pte Ltd Tannery House
Our Ref.: D0750/201003

Dear Sir:

Enclosed herewith in duplicate is a Notice of Opposition against the registration of the above-identified mark. Please institute the opposition and send notice of the institution to the undersigned in due course.

Also enclosed is a check in the amount of \$300.00 believed to be the fee in connection with this Notice of Opposition. You are authorized to charge any difference or credit any overpayment to the undersigned's Deposit Account No. 19-4880.

Respectfully submitted,

Gary D. Krugman

GDK/dh

Enclosures: Notice of Opposition (in duplicate)
Check in the Amount of \$300.00

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